

CITY COMMISSION MINUTES

August 5, 2014

7:00p.m.

CALL TO ORDER

The scheduled meeting of the Junction City Commission was held on Tuesday, August 5, 2014 with Mayor Michael Ryan presiding.

The following members of the Commission were present: Cecil Aska, Pat Landes, Mick McCallister, Michael Ryan, and Jim Sands. Staff present was: Interim City Manager Beatty, City Attorney Logan, and City Clerk Ficken.

PUBLIC COMMENT

Larry Ruiz stated that he has been working on a project for two years, and he is now at a crossroads. A meeting on August 12th will be held regarding sustainability, and he is interested in developing a renewable energy plant. Mr. Ruiz stated that half of the energy could be sold to NBAF. The Federal government is mandating the use of renewable energy; there are a lot of interested investors.

CONSENT AGENDA

Consideration of Appropriation Ordinance A-14 dated--July 9 2014-July 29th in the amount of \$2,947,955.61. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Letter of Support for Ft. Riley. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of City Commission Minutes for 7-15-2014. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Approval of special assessment list to be sent to Geary County for 2013 tax roll billing. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Adoption of a Resolution (R-2765) for a Water Watch within the City for Voluntary Water Conservation Restrictions. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration and Approval for the Declaration of various equipment within the Department of Public Works as Surplus. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of June 2014 ambulance contractual obligation adjustments and bad debt adjustments. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of payroll #14 & #15 for the month of July. Commissioner Landes moved, second by Commissioner Aska to approve the consent agenda as presented. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Breastfeeding month proclamation. Mayor Ryan presented the proclamation.

PUBLIC HEARING

A Public Hearing to consider condemnation of property at 518 W 3rd St and approval of Resolution 2763. Mayor Ryan opened the public hearing. Commissioner Aska moved, seconded by Commissioner Sands to approve Resolution R-2763 providing the property owner 120 days to repair or remove the structure. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

NEW BUSINESS

Consideration of the 2013 Audit. Commissioner Aska moved, seconded by Commissioner McCallister to approve the 2013 Audit. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Real Estate Lien Subordination Agreement. Commissioner Landes stated that the City only has revolving loan dollars in this. Interim City Manager Beatty stated that the City recognizes that CDGB loans are high risk. Commissioner Sands stated that the event he attended was good, and if the bowling group will come back next year, it would be helpful. Commissioner Sands stated that the building needs to be updated. Commissioner McCallister stated that he would like to see the steps toward profitability. Interim City Manager Beatty stated that this item will provide the business with a chance to make things work. Susan Jagerson stated that the business is working with the State to receive guidance on turning things around. Commissioner Sands moved, seconded by Commissioner Aska to approve the Real Estate Lien Subordination

Agreement for JC Bowl. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Public Hearing & Consideration of 2015 budget for publication. Commissioner Aska moved, seconded by Commissioner McCallister to approve publication of the budget, and set a public hearing for the night of August 19, 2014. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Quality Trust Revolving Loan. Commissioner Sands asked how the homeowners association fits into this. Mr. Ruiz stated that he is the declarant for the property. Commissioner Landes asked if Mr. Ruiz had any contract or documentation making him the declarant. Mr. Ruiz did not provide documentation. City Attorney Logan stated that Mr. Ruiz's statements that he is the declarant are not true. Commissioner Landes moved, seconded by Commissioner McCallister to deny the Quality Trust Revolving loan request. Ayes, Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of award of bid for the expansion & renovation of 701 N. Jefferson. Bruce McMillan explained to the Commission the discrepancy with the low bid; Cheney Construction did not have a solid quote on a building at the time of their bid. Commissioner McCallister stated that he is concerned that Cheney provided a bid that worked to get their foot in the door. Commissioner Landes stated that he is worried that Cheney Construction is leaving items out of their bid. Interim City Manager Beatty stated that it is the staff's responsibility to hold Cheney Construction to their bid, and not allow change orders to occur unless circumstances change on site. Interim City Manager Beatty reported that Cheney Construction completed the work on the 12th Street Community Center; City Clerk Ficken stated that the project was over on time by 100 days and dollars by 25%. Mr. McMillan stated that he was informed by a colleague at Kansas State University that Cheney Construction was on their no bid list due to late projects. Interim City Manager Beatty stated that the concern is regarding the time on the project, and not the quality of work. Patrick Shutter with BHS construction stated that their bid was \$30,000 lower than the next bids, which was to be achieved by self-performing some of the projects. Mr. Shutter stated that if he had bid \$900,000, he would not be happy with it. Mr. McMillan stated that the subcontractors that will be used by the contractors are listed. City Attorney Logan stated that the City will at a later date approve a contract that would include a performance bond. Commissioner Aska moved, seconded by Commissioner Sands to award the bid for the expansion and renovation of 701 N. Jefferson to Cheney Construction in an amount not to exceed \$919,382.00. Ayes: Aska, Ryan, Sands. Nays: Landes.

Consideration and Approval of a Contract Amendment - Storm Water Management Master Plan Public Outreach Program. Commissioner Aska asked if there would be additional cost with options two & three. Mr. McCaffery stated that option two is a significant pairing back on the stakeholder meeting; it would include one group meeting and not individual stakeholder groups. Commissioner McCaffery stated that the landlord association is a stakeholder that is not pleased

with the current system. Commissioner Aska stated that those specific groups could attend the large group meeting. Commissioner Landes asked if the City staff could hold the stakeholder meetings. Mr. McCaffery stated that he doesn't feel that City staff has the expertise to relay that information back to the Commission. Mr. McCaffery stated that this will help the City meet issues of compliance with the KDHE permit. Mr. McCaffery stated that he believes that the stakeholder groups could be paired into 3 major groups to reduce the costs. Interim City manager Beatty stated that if the Commission decided to cap commercial properties, it will have an impact on residential rates. Additionally the Commission should consider credits to companies that have onsite retention of storm water. Commissioner Sands asked if option two were chosen, could additional meeting be held if necessary. Mr. McCaffery replied yes. Commissioner Sands moved, seconded by Commissioner McCallister to approve the contract amendment in the amount of \$7,000.00 (option 2). Commissioner Landes suggested that staff look at what some other communities charge the larger companies on storm water; he is tired of spending money on meetings. Ayes: McCallister. Nays: Aska, Landes, Ryan, Sands. Motion failed. Commissioner Landes moved, seconded by Commissioner Aska to approve option 3 as described. Ayes: Aska, Landes, Ryan, Sands. Nays: McCallister. Motion carried.

Consideration and approval of an award of bid airport fuel containment facility. Commissioner Landes moved, seconded by Commissioner McCallister to approve the award of bid to R.M. Baril in an amount not to exceed \$38,220.90. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

Consideration of Ordinance G-3128 a request to rezone certain property in Junction City, Kansas, located at 807 Barnhill Circle. Commissioner Landes moved, seconded by Commissioner Aska to approve ordinance S-3128. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Landes reported that the EDC discussed the Land Bank issue; there is more work to do. Commissioner Landes reminded people to slow down as children are returning to school.

Commissioner Aska stated that the Brigade Baseball season is over; they are the Mid Plains Champions. Commissioner Aska thanked the Parks & Recreation Department for their work this season.

Commissioner McCallister congratulated Commissioner Aska for his work with the Brigade. Commissioner McCallister stated that the Chamber of Commerce hired Mr. Henderson for the capital campaign project. Commissioner McCallister stated that the support of Ft. Riley for the community is important; Junction City is the constant and consistent partner of Ft. Riley.

Commissioner Sands stated that progress with ACCT is going well, as they plan to employ 350 people. Commissioner Sands stated that there is concern regarding the impact of water warnings at Milford Lake on the business there; the CVB has information to share with the community on that topic. Commissioner Sands stated that he has received a lot of comments regarding the land bank.

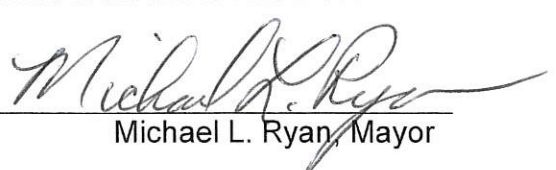
Mayor Ryan stated that he has sad news to report that former mayor Lloyd Parker passed away; he is appreciated by the community.

ADJOURNMENT

Commissioner Landes moved, seconded by Commissioner McCallister to adjourn at 9:30 p.m. Ayes: Aska, Landes, McCallister, Ryan, Sands. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 19TH DAY OF AUGUST AS THE
OFFICIAL COPY OF THE JUNCTION CITY COMMISSION MINUTES FOR
AUGUST 5, 2014.


Tyler Ficken, City Clerk


Michael L. Ryan, Mayor